

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHEASTERN DIVISION

Hartford Life and Accident Insurance  
Company,

Plaintiff,

-vs-

Ronald Rogers, Harvey M. Spear, and  
Ruth A. Spear,

Defendants.

Case No. 3:13-cv-101

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

The undersigned received a Report and Recommendation from the Honorable Karen K. Klein, United States Magistrate Judge, pursuant to 28 U.S.C. § 636, recommending that Harvey M. Spear and Ruth A. Spear's motion for judgment on the pleadings be granted.<sup>1</sup> The Court did not received any objections to the Report and Recommendation.

The undersigned has reviewed the Report and Recommendation, along with the entire file, and finds that the magistrate judge's analysis is correct. Accordingly, the Court hereby adopts the Report and Recommendation in its entirety. For the reasons set forth therein, the Spears' motion for judgment on the pleadings is **GRANTED**.<sup>2</sup> The Clerk is directed to enter judgment in favor of the Spears for the amount of the proceeds of the accidental death and dismemberment insurance policy.

**IT IS SO ORDERED.**

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated this 12th day of November, 2014.

/s/ Ralph R. Erickson  
Ralph R. Erickson, Chief Judge  
United States District Court

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<sup>1</sup> Doc. #39.

<sup>2</sup> Doc. #33.